

Peter Livingston Senior Counsel Phone: 212.592.1625 Fax: 212.545.2385 plivingston@herrick.com

March 24, 2023

## VIA EMAIL AND ECF

Wang\_NYSDCHAMBERS@nysd.uscourts.gov

Hon. Ona T. Wang United Magistrate Judge United States District Court 500 Pearl Street New York, NY 10007

## **MEMO ENDORSED.**

Re: United States of America

V

Rutherford Tenants Corp and James Ramadei 21 CIV10383(JHR) (OTW)

Dear Judge Wang,

We represent the Defendants. This letter is being submitted pursuant to your rules requiring Court approval for sealing of certain documents submitted to the Court.

The Government has no objection to this application.

In connection with the Defendants' *motion in limine*, we served Your Honor by email on March 15, 2023 but did not electronically file due to confidential information in exhibits which pertain to certain residents of the Rutherford Tenants Corp. The exhibits contain sensitive personal information about one of the residents and the FICO scores for twelve of the residents, which are identified by their apartments in the building. Those exhibits are now on docket (DKT49).

This information does not impact the Government's case and should not be open to public inspection. We respectfully request that the aforementioned exhibits be removed from the docket or placed under seal.

Respectfully,

By /s/ Peter Livingston

Peter I. Livingston Herrick Feinstein LLP 2 Park Avenue New York, New York 10016

HERRICK, FEINSTEIN LLP • Two Park Avenue • New York, NY 10016 • Phone: 212.592.1400 • Fax: 212.592.1500



March 24, 2023 Page 2

cc: David J. Kennedy, Esq. (via email David.Kennedy2@usdoj.gov)

Application **GRANTED** for the reasons stated in the motion. The Clerk of Court is respectfully directed to close ECF 51 and to seal ECF 49 in its entirety.

SO ORDERED.

Ona T. Wang

3/27/23

U.S.M.J.